

### **Listing of Claims:**

#### Claims

1. (Currently amended) A isopropanol/water mixed solvate of olanzapine which contains 2 molecules of water and 1 molecule of isopropanol per 2 molecules of olanzapine.
2. (Previously Presented) The isopropanol/water mixed solvate of olanzapine of claim 1 characterized by the x-ray structure shown in Figure 1.
3. (Previously Presented) The isopropanol/water mixed solvate of olanzapine of claim 1 characterized by a NMR spectrum in  $\text{CDCl}_3$  showing peaks at approximately 1.20 ppm, 2.20-2.40 ppm and 4.03 ppm.
4. (Previously Presented) The isopropanol/water mixed-solvate of olanzapine of claim 1 characterized by the NMR spectrum shown in Figure 2.
5. (Previously Presented) A process for the preparation of the isopropanol/water mixed solvate of olanzapine according to claim 1, which comprises crystallizing it from a solvent mixture comprising isopropanol and water in a ratio of at least 9 to 1 parts by volume.
6. (Previously Presented) The process according to claim 5, wherein the solvent mixture comprises isopropanol and water in a ratio of at least 20 to 1 parts by volume.

7. (Previously Presented) The process according to claim 5, wherein the solvent mixture comprises isopropanol and water in a ratio of at least 35 to 1 parts by volume.

8. (Previously Presented) Process according to claim 5, wherein the crystallization is effected by adding the water to a solution comprising olanzapine and the isopropanol.

9. (Currently Amended) The process for the preparation of form I olanzapine, ~~wherein~~ comprising dissolving the isopropanol/water mixed solvate according to claim 1 is used in an organic solvent to form a solution, and crystallizing or precipitating form I olanzapine or its precursor.

10. (Previously Presented) The process according to claim 9, wherein (a) the isopropanol/water mixed solvate is converted to a methylene chloride solvate of olanzapine, and (b) the methylene chloride solvate is converted to form I olanzapine.

11. (Previously Presented) The process according to claim 10, wherein in step (a) a solution of the isopropanol/water mixed solvate in methylene chloride is prepared, the solvent is partly evaporated and the remaining solution is cooled.

12. (Previously Presented) The process according to claim 10, wherein in step (a) a solution of the isopropanol/water mixed solvate in methylene chloride is prepared, a drying agent is added to the solution, the drying agent is removed from the mixture and the methylene chloride solvate of olanzapine is recovered.

13. (Currently Amended) The process according to claim 12, wherein anhydrous ~~CaSO<sub>4</sub>~~ CaSO<sub>4</sub> is used as the drying agent.

14. (Previously Presented) The process according to claim 10, wherein the methylene chloride solvate is methylene chloride hemisolvate of olanzapine.

15. (Previously Presented) The process according to claim 10, wherein in step (b) the methylene chloride solvate is suspended in isopropanol.

16. (Previously Presented) The process according to claim 15, wherein the ratio between methylene chloride solvate (kg) and isopropanol (l) is 1: 5 to 1: 2.

17. (Previously Presented) The process according to claim 14, wherein in step (b) methylene chloride hemisolvate is dried under vacuum at a temperature of 30 to 55 C for 6 to 36 hours, the dried hemisolvate is suspended in isopropanol, the suspension is stirred at a temperature of 15 to 35 C for 15 to 60 min, and the form I olanzapine is separated.

18. (Previously Presented) The process according to claim 9, wherein the solid isopropanol/water mixed solvate of olanzapine is mixed with solid olanzapine of form I and the particle size of the mixture is reduced.

19. (Currently Amended) The process according to claim 18, wherein the mixture comprises up to 10% ~~and in particular up to 5%~~ by weight of form I olanzapine.

20. (Previously Presented) The process according to claim 18, wherein the mixture of reduced particle size is dried in a vacuum drier at temperatures ranging from room temperature to 80 C.

21. (Previously Presented) The process according to claim 20, wherein the dried material is suspended in isopropanol, the solid is separated by filtration and dried.

22. (Previously Presented) The process according to claim 21, wherein the dried material is suspended in isopropanol in a weight (kg) to volume (l) ratio of 1: 5 to 1: 2, in particular 1: 3 to 1: 2.

23. (Currently Amended) The process for the preparation of a solvate or hydrate ~~forms~~ form of olanzapine, or mixtures thereof, ~~wherein~~ comprising dissolving the isopropanol/water mixed solvate of olanzapine according to claim 1, and crystallizing or precipitating the solvate or hydrate form of olanzapine is used.

24. (Currently Amended) The process for the preparation of an anhydrous ~~forms~~ form of olanzapine, ~~wherein the~~ comprising dissolving isopropanol/water mixed solvate of olanzapine according to claim 1 and precipitating the anhydrous form of olanzapine is used.

25. (Cancelled)

26. (Previously Presented) A process for preparing form I olanzapine, wherein at least one of (a) a precursor for olanzapine form I and (b) olanzapine form I is crystallized or precipitated from a liquid medium which medium is present in a container wherein the surfaces of the container contacting the medium are comprising at least one polymer.

27. (Currently Amended) The process according to claim 26, wherein a precursor for olanzapine ~~from~~ form I is crystallized or precipitated.

28. (Previously Presented) The process according to claim 27, wherein the precursor is methylene chloride hemisolvate of olanzapine.

29. (Currently Amended) The process according to claim 26, wherein the precursor or the olanzapine form I has been prepared using the isopropanol/water mixed solvate ~~according to claim 1~~ of olanzapine which contains 2 molecules of water and 1 molecule-of isopropanol per 2 molecules of olanzapine.

30. (Previously Presented) Process according to claim 26, wherein the surfaces of the container contacting the medium are consisting of at least one polymer.

31. (Previously Presented) The process according to claim 26, wherein the polymer contains fluorine.

32. (Previously Presented) The process according to claim 26, wherein the polymer is selected from polytetrafluoroethylene, fluorinated ethylene propylene copolymer, perfluor alkoxy polymer, or ethylene tetrafluoroethylene copolymer.